IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

Bail Appl..No. 7511 of 2006()

CMP.7523/2006 of J.M.F.C., KAYAMKULAM
CR.NO.238/06 OF MAVELIKKARA EXCISE RANGE.

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: PETITIONER/ACCUSED

GOPALAKRISHNA PILLAI, S/O.KESAVA PILLAI,
PARANPALLIL VEEDU, MENAMPALLY MURI,
PERINGALA VILLAGE, MAVELIKKARA TALUK.

BY ADV. SRI.C.SUNIL KUMAR

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR,
MAVELIKKARA EXCISE RANGE, ALAPPUZHA DISTRICT.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7511 OF 2006

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DATED THIS THE 19TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Cr.No.238/06 of Mavelikkara Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 35 liters of wash on 17.11.2006, seeks his enlargement on bail. The petitioner was arrested on 18.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kayamkulam and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn